

March 28, 2008

**ELIGIBILITY REQUIREMENTS FOR A ONE-TIME COURSE OF DENTAL CARE
FOR RECENTLY DISCHARGED VETERANS**

1. PURPOSE: This Veterans Health Administration (VHA) Directive outlines the eligibility requirements for a one-time course of dental care for eligible veterans.

2. BACKGROUND:

a. Public Law 110-181, titled the National Defense Authorization Act for Fiscal Year 2008 (NDAA), amended the time period that a recently discharged veteran has to submit to VHA an application for the one-time dental benefit under Title 38 United States Code (U.S.C.) § 1712 (a)(1)(B). This amendment became effective on January 28, 2008. In recent years, veterans who served on active duty 90 days or more immediately before their discharge were eligible to receive the one-time Department of Veterans Affairs (VA) dental benefit if they made application to VA within 90 days post discharge from active duty and if their DD214, Certificate of Release or Discharge from Active Duty, did not bear a certification that the veteran was provided, within the 90-day period immediately before the date of discharge, a complete dental exam (including dental X-rays) and all appropriate dental services and treatment indicated by the examination. This one-time course of dental benefits is referred to as the Class II dental benefit under the provisions of title 38, Code of Federal Regulations § 17.161 (b).

b. The NDAA extended the time period for all recently discharged veterans meeting the requirements noted above to make application for the one-time dental benefit from 90 days to 180 days post-discharge to include veterans:

(1) Who reentered active military, naval, or air service within 90 days after the date of a prior discharge or;

(2) Whose disqualifying discharge or release has been corrected by competent authority if application is made within 180 days after the date of correction.

***NOTE:** Because the effective date of this law is January 28, 2008, if a recently discharged veteran applies for the dental benefit on or after January 28, 2008, and within the 180-day period, VA will provide the benefit even if the veteran was previously denied the benefit because the application was not within the previous 90-day period.*

3. POLICY: It is VHA policy that, effective January 28, 2008, eligible discharged or separated veterans have 180 days after their date of discharge from active duty to make application for the one-time course of dental benefits under the provisions of Title 38 United States Code § 1712 (a)(1)(B). ***NOTE:** There is no change to the other classes of dental benefits including Class II(a),(b),and (c) benefits.*

THIS VHA DIRECTIVE EXPIRES MARCH 31, 2013

VHA DIRECTIVE 2008-017

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4. ACTION: All Veteran Integrated Service Network (VISN) and VA medical facility Directors are responsible for ensuring appropriate policies and procedures are in place so that:

- a. A one-time course of dental benefits is provided to eligible veterans.
- b. Any local policies, fact sheets, and frequently asked questions addressing dental eligibility are updated to reflect these recent changes.
- c. Veterans who applied for this one-time dental benefit prior to January 28, 2008, and were denied due to the application being made outside the 90-day period are contacted and afforded this benefit; if, on or after January 28, 2008, they apply within 180 days of discharge or of the date of correction of their disqualifying discharge.

5. REFERENCE: Public Law 110-181; Title 38 U.S.C., Section 1712(a)(1)(B)(iii).

6. FOLLOW-UP RESPONSIBILITY: The Chief Business Office (16) is responsible for the content of this Directive. Questions may be directed to (202) 254-0329.

7. RESCISSION: This VHA Directive expires March 31, 2013.

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